

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:11-CV-42-H

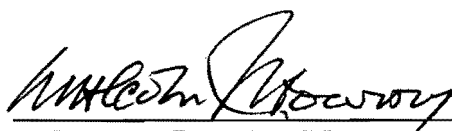
SOUTHERN SHORES 123 LLC,)
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Plaintiff,)
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MOHAMED TAHIRI, SABONJI NABIL,)
And BOUBKER, INC.,)
)
)
Defendants.)

ORDER

This matter is before the court on plaintiff's motion for default judgment. On April 25, 2012, the clerk entered default against each of the defendants, Mohamed Tahiri, Sabonji Nabil and Boubker, Inc., pursuant to Rule 55(a) of the Federal Rules of Civil Procedure. Plaintiff now moves for default judgment, claiming that defendants are indebted to plaintiff in the amount of \$325,641.76 as a result of defendants' breach of a commercial lease entered into by defendants and plaintiff's predecessor in interest. Plaintiff also seeks interest at the rate of eighteen percent (18%) from the alleged date of breach until judgment, as well as attorney's fees in the amount of \$48,846.26 and costs of this action.

Based on the evidence of record, the court declines to enter default judgment in favor of plaintiff. Although defendants have defaulted, plaintiff has not submitted an affidavit or other evidence to support its claim that defendants "are indebted to Plaintiff in the sum certain amount of Three Hundred Twenty-Five Thousand Six Hundred Forty-One and 76/100 Dollars (\$325,641.76)." Accordingly, plaintiff's motion for default judgment [DE #11] is DENIED without prejudice.

This 25th day of June 2012.



MALCOLM J. HOWARD
Senior United States District Judge

At Greenville, NC
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